

UNITED STATES DISTRICT COURT

FOR THE EASTERN DISTRICT OF CALIFORNIA

TERENCE BROWN,

Plaintiff,

v.

DANIEL HERNANDEZ, et al.,

Defendants.

No. 2:24-cv-1366 CSK P

ORDER

Plaintiff has filed two motions to re-open this closed case based on complications from his mental illness and allegations that he was intimidated into settling the case. ECF Nos. 22, 23.

On January 7, 2025, the parties filed a stipulation for voluntary dismissal of this action with prejudice that was signed by plaintiff and counsel for defendants. ECF No. 20. The case was closed the following day pursuant to the parties' stipulation. ECF No. 21. Unless the "parties' obligation to comply with the terms of [a] settlement agreement [are] made part of the order of dismissal—either by separate provision (such as a provision 'retaining jurisdiction' over the settlement agreement) or by incorporating the terms of the settlement agreement in the order," then "enforcement of the settlement agreement is for state courts, unless there is some independent basis for federal jurisdiction." Kokkonen v. Guardian Life Ins. Co. of Am., 511 U.S. 375, 381-82 (1994). This analysis also holds true for "an effort to undo rather than to enforce a settlement agreement." Camacho v. City of San Luis, 359 F. App'x 794, 798 (9th Cir. 2009)

1 (citing Kokkonen, 511 U.S. 375)).

2 Here, the stipulation for dismissal does not incorporate the terms of the settlement
3 agreement or provide that this court retains jurisdiction over the matter (ECF No. 20), nor does
4 there appear to be any independent basis for federal jurisdiction. Accordingly, this court lacks
5 jurisdiction.

6 Accordingly, IT IS HEREBY ORDERED that:

7 1. This court lacks jurisdiction over plaintiff's motions to rescind the settlement
8 agreement and re-open the case (ECF Nos. 22, 23) and the Clerk of the Court is directed to
9 STRIKE the motions as improper filings.

10 2. No further filings shall be accepted in this closed case.

11 DATED: February 27, 2025


ALLISON CLAIRE
UNITED STATES MAGISTRATE JUDGE

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